

FILED

APR 21 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES E. SMITH, JR.,

Defendant.

) INFORMATION

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) CASE NO.

1 : 22 CR 186

Title 18, United States Code
Sections 1029(a)(2), 1028A(a)(1)

JUDGE BOYKO

GENERAL ALLEGATIONS

MAG. JUDGE BAUGHMAN

At all times material and relevant to this Information:

1. Defendant CHARLES E. SMITH, JR., resided in the Northern District of Ohio,
Eastern Division

2. A “means of identification” means any name or number that may be used, alone
or in conjunction with any other information, to identify a specific individual, including a
person’s name, Social Security Account number, date of birth, or state or government issued
driver’s license or identification number.

3. As defined in Title 18, United States Code, Section 1029(e):

a. “Access Device” includes any card, plate, code, account number,
electronic serial number, personal identification number or other means of
account access that can be used alone or in conjunction with another access
device to obtain money, goods, services, or any other thing of value, or that can
be used to initiate a transfer of funds (other than a transfer originated solely by
paper instrument);

- b. “Counterfeit access device” means any access device that is counterfeit, fictitious, altered, or forged, or an identifiable component of an access device or a counterfeit access device;
- c. “Unauthorized access device” means any access device that is lost, stolen, expired, revoked, cancelled or obtained with the intent to defraud;
- d. “Produce” includes design, alter, authenticate, duplicate or assemble;
- e. “Traffic” means transfer, or otherwise dispose of, to another, or obtain control of with intent to transfer or dispose of;
- f. “Device making equipment” means any equipment, mechanism, or impression designed or primarily used for making an access device or a counterfeit access device.

COUNT 1

(Access Device Fraud – Using Unauthorized Access Devices, in violation of
18 U.S.C. §§ 1029(a)(2))

The United States Attorney charges:

- 4. The allegations set forth in paragraphs 1 through 3 of this Information are re-alleged and incorporated by reference.
- 5. Between on or about May 30, 2019, and continuing through on or about May 20, 2020, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant CHARLES E. SMITH, JR., did knowingly and with the intent to defraud, traffic in and use one or more unauthorized access devices, as defined in Title 18, United States Code, Section 1029(e)(3), during a one year period, to obtain goods and services valued at \$1,000 or more, such use affecting interstate commerce, all in violation of Title 18, United States Code, Sections 1029(a)(2).

COUNT 2

(Aggravated Identity Theft, in violation of 18 U.S.C. §§ 1028A(a)(1))

The United States Attorney further charges:

6. The allegations set forth in paragraphs 1 through 3 of this Information are re-alleged and incorporated by reference.

7. Between on or about May 30, 2019, and continuing through on or about May 20, 2020, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant CHARLES E. SMITH, JR., during and in relation to a felony violation of Title 18, United States Code, § 1029(a)(2), knowingly transferred, possessed and used, without lawful authority, a means of identification of one or more other individuals, and knowingly aided and abetted the transfer, possession and use, without lawful authority, of the means of identification of another person, knowing that said means of identification belonged to one or more other persons, all in violation of Title 18, United States Code, §§ 1028A(a)(1).

MICHELLE M. BAEPPLER
Acting United States Attorney

By: 
EDWARD F. FERAN
Chief, General Crimes Unit